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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/532,837 | 03/21/2000 | William T. Clark | M0506/7021 | 7155 |

7590 06/05/2002

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EXAMINER

NGUYEN, CHAU N

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 2831 | |

DATE MAILED: 06/05/2002

13

Please find below and/or attached an Office communication concerning this application or proceeding.

AC

| | | |
|------------------------------|---------------------------|------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/532,837 | CLARK ET AL. |
| | Examiner Chau N Nguyen | Art Unit 2831 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 29 April 2002.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 19-23 and 25-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 19,20,22,23,25,27 and 29-31 is/are rejected.
- 7) Claim(s) 21,26 and 28 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 19, 20, 22, 25, 27, 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bleich et al. (5,576,515) in view of Gaeris et al. (5,789,711).

Bleich et al. discloses an unshielded data cable comprising a plurality of twisted pairs of conductors and a non-conductive outer jacket, wherein the cable does not include a shield that encloses any of the conductors.

Bleich et al. does not disclose a non-conductive central core having a surface that defines channels within which the pairs are individually disposed.

Gaeris et al. discloses a cable comprising a non-conductive central core having a surface that defines channels within which a plurality of pairs are individually disposed, the core comprising a plurality of fins extending outwardly from the center of the core to at least an outer boundary defined by an outer

dimension of the pairs, each fin extending from the center of the core at substantially right angle to the other fins, the plurality of channels being defined by the plurality of fins, and the plurality of fins positioning the plurality of twisted pairs in a substantially 90° relationship. Gaeris et al. also discloses the central core comprising a cavity in which a drain wire (col. 4, line 65) is disposed.

It would have been obvious to one skilled in the art to include the non-conductive central core as taught by Gaeris et al. into the cable of Bleich et al. to separate the pairs from each other to reduce cross-talk among the pairs as taught by Gaeris et al.

3. Claims 23 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bleich et al. in view of Gaeris et al as applied to claim 19 above, and further in view of Hawley (Condensed Chemical Dictionary).

The modified cable of Bleich et al. discloses the central core being formed of a solid polymer. The modified cable of Bleich et al. does not disclose the core being formed of fluoropolymer or a fire resistant plastic. Hawley discloses fluoropolymer being a known material for being used in wire and cable insulation and being a noncombustible (fire resistant) material. Therefore, it would have been obvious to one skilled in the art to use fluoropolymer for the modified central

core of Bleich et al. since fluoropolymer is a noncombustible material as taught by Hawley.

Allowable Subject Matter

4. Claims 21, 26 and 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter: there is no motivation to modify the central core of Gaeris et al. to have the fins with substantially parallel sides (re claim 21).

Response to Arguments

6. Applicant's arguments with respect to claim 19 have been considered but are moot in view of the new ground(s) of rejection.

Communication

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau N Nguyen whose telephone number is 308-0693. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (703) 308 3682. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308 3431 for regular communications and (703) 305 1341 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



Chau N Nguyen
Primary Examiner
Art Unit 2831

CN
June 1, 2002